

REMARKS

Claims 1-14 are pending in this application.

Applicant has amended claims 1, 3, 5, 6, 10, 13, and 14. The changes to the claims made herein do not introduce any new matter.

Allowable Subject Matter

Applicant appreciates the Examiner's prompt indication that claims 4 and 6 define allowable subject matter. Applicant's responses to the issues raised in the Office Action are set forth in the following discussion.

Rejection Under 35 U.S.C. § 112

Applicant respectfully requests reconsideration of the rejection of claims 5 and 6 under 35 U.S.C. § 112, second paragraph. Applicant has amended each of claims 5 and 6 to provide antecedent basis for the "x-direction" and the "y-direction" recited in these claims. Accordingly, Applicant submits that claims 5 and 6 now satisfy the definiteness requirement of 35 U.S.C. § 112, second paragraph, and requests that the rejection of these claims thereunder be withdrawn.

Rejection Under 35 U.S.C. § 101

Applicant respectfully requests reconsideration of the rejection of claim 14 under 35 U.S.C. § 101 as being directed toward non-statutory subject matter. Applicant has amended claim 14 to define a computer-readable storage medium having a computer program recorded therein. Accordingly, Applicant submits that claim 14 now defines statutory subject matter under 35 U.S.C. § 101, and requests that the rejection of this claim thereunder be withdrawn.

Rejection Under 35 U.S.C. § 102

Applicant respectfully requests reconsideration of the rejection of claims 1-3, 5, and 7-14 under 35 U.S.C. § 102(b) as being anticipated by *Hagstrom et al.* ("*Hagstrom*") (US 5,927,208). As will be explained in more detail below, the *Hagstrom* reference does not

disclose each and every feature specified in independent claims 1, 10, 13, and 14, as amended herein.

Applicant has amended each of independent claims 1, 10, 13, and 14 to specify “an adjustment medium on which a base line is previously printed *at a precise position.*”
[Emphasis added.]

The *Hagstrom* reference relates to a printer for printing labels on compact discs (CDs). In particular, the *Hagstrom* reference discloses a calibration technique for ensuring that the label is properly positioned when printed. In the calibration technique shown by *Hagstrom*, a first printing that includes a series of radially spaced lines is printed on a calibration medium. The calibration medium is then rotated by 180 degrees, and a second printing that includes sets of spaced lines and numerals is printed on the calibration medium. When some of the lines of the first printing align with those of the second printing, the number at which they align is input into a printer to carry out the calibration. As such, the calibration technique of *Hagstrom* involves the printing of two different sets of lines.

On the other hand, in the presently claimed subject matter, a base line is previously printed at a precise location. As such, the claimed configuration need only print a single marker on an adjustment medium. Thus, the presently claimed subject matter is significantly different from the calibration technique shown in the *Hagstrom* reference.

Considering first independent claim 1, in support of the anticipation rejection, the Examiner relies upon column 4, lines 13-67, of the *Hagstrom* reference as disclosing the claimed “marker print unit.” The cited portion of the *Hagstrom* reference describes the printing of the two different sets of lines, which has been discussed in more detail above. As such, the *Hagstrom* reference does not disclose a “marker print unit” that controls a printing apparatus to print a marker at a predetermined position of an adjustment medium on which a baseline is previously printed at a precise position, as specified in present claim 1.

Shifting now to the other independent claims, independent claim 10 defines a print controller that includes a “marker print unit” having similar features to those discussed above with regard to claim 1. Independent claim 13 defines a method for determining an amount of misalignment of print position that includes a method operation that corresponds to the functionality of the “marker print unit” defined in present claim 1. Independent claim 14 defines a computer-readable storage medium having computer program recorded therein, with the computer program causing a computer to implement functionality that corresponds to that of the “marker print unit” specified in present claim 1. As such, the arguments set forth above regarding present claim 1 also apply to present claims 10, 13, and 14.

Thus, for at least the foregoing reasons, the *Hagstrom* reference does not disclose each and every feature of the subject matter defined in present claims 1, 10, 13, and 14.

Accordingly, independent claims 1, 10, 13, and 14, as amended herein, are patentable under 35 U.S.C. § 102(b) over *Hagstrom*. Claims 2, 3, 5, and 7-9, each of which ultimately depends from claim 1, and claims 11 and 12, each of which depends from claim 10, are likewise patentable under 35 U.S.C. § 102(b) over *Hagstrom* for at least the reason that these claims depend from either claim 1 or claim 10.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of claims 1-14, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in

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connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP055).

Respectfully submitted,
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